

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

No.	CV 22-03564-CBM (AS)	Date	July 27, 2022
Title	<i>Roderick Washington v. Shen Jay Fern, et. al.,</i>		

Present: The Honorable	Alka Sagar, United States Magistrate Judge		
Alma Felix	Not reported		
Deputy Clerk	Court Reporter / Recorder		
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
Not present	Not present		

Proceedings (In Chambers):

**SECOND ORDER TO SHOW CAUSE RE
DISMISSAL PURSUANT TO 28 U.S.C. § 1915(g)**

On June 24, 2022, the Court issued an Order to Show Cause (“OSC”) why this action should not be dismissed pursuant to 28 U.S.C. § 1915(g), based on prior civil actions filed by Plaintiff (while he was a prisoner) in the United States District Courts of California that qualify as “strikes” for the purposes of § 1915(g). (Dkt. No. 5). Plaintiff was directed to – on or before July 25, 2022 - either “pay the full filing fees in this action” or “show cause in writing . . . why leave to proceed IFP should not be revoked and the action dismissed on the ground that he had suffered three or more ‘strikes’ within the meaning of 28 U.S.C. § 1915(g).” *Id.*, at 9. Plaintiff was also warned that “failure to comply with this Order will be deemed by the Court as plaintiff’s consent to the dismissal of this action without prejudice pursuant to 28 U.S.C. § 1915(g). *Id.*

To date, Plaintiff has failed to respond to the Court’s Order, seek an extension of time to do so, or otherwise communicate with the Court.

The Court will provide Plaintiff a **final opportunity** to respond to the OSC issued on June 24, 2022. Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE, in writing, no later than August 10, 2022**, why this action should not be dismissed pursuant to 28 U.S.C. § 1915(g).

If Plaintiff no longer wishes to pursue this action, he may request a voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1). A notice of dismissal form is attached for Plaintiff’s convenience. Plaintiff is again warned that a failure to timely respond to this Order will result in a recommendation that this action be dismissed with prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute and obey court orders.

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IT IS SO ORDERED.

cc: Consuelo B. Marshall, United States District Judge

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Initials of Preparer	AF		